



Division of Waste Management and Radiation Control

USED OIL TRANSFER FACILITY PERMIT



Permittee: Emerald Services, Inc.

Permittee Mailing Address: 3545 West 500 South
Salt Lake City, UT 84104

Permittee Phone Number: (801) 973-4131

Permittee Administrative Contact: Michelle Lackman, Senior Environmental Compliance Manager
Cell: (253) 278-4110
Email: mlackman@emeraldrenews.com

Permittee Transfer Facility Address: 650 West 500 South (Track 796)
Union Pacific Rail Yard
Salt Lake City, Utah 84119

Facility Contact (Utah): Joe Dwyre, Branch General Manager
Office: (801) 596-4801
Cell: (503) 706-0311
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Type of Permit: Used Oil Transfer Facility Permit

Permit #: UOP-0087

EPA ID #: UTR000007831

Original Date of Issuance: April 22, 2004

Signature: _____

Ty L. Howard, Director
Division of Waste Management and Radiation Control

Date: _____

I.A. Effect of Permit

- I.A.1. Emerald Services, Inc. (hereafter referred to as “the Permittee”) is hereby authorized to operate a Used Oil Transfer Facility located at 650 West 500 South (Track 796), Union Pacific Rail Yard, Salt Lake City, Utah, in accordance with all applicable requirements of R315-15 of the Utah Administrative Code (UAC) and the Used Oil Management Act (the Act) 19-6-701 et. seq., Utah Code Annotated and this Permit.
- I.A.2. This Permit shall be effective for a term not to exceed ten years in accordance with the requirements of R315-15-15 of the Utah Administrative Code.
- I.A.3. Attachments incorporated by reference are enforceable conditions of this permit, as are documents incorporated by reference into the attachments. Language in this permit supersedes any conflicting language in the attachments or documents incorporated into the attachments.

I.B. Permit Revocation

- I.B.1. Violation of any permit condition or failure to comply with any provision of the applicable statutes and rules shall be grounds for enforcement actions, including revocation of this Permit. The Director shall notify the Permittee in writing of his intent to revoke this Permit.

I.C. Permit Modification

- I.C.1. The Permittee may request modifications to any item or activity covered by this Permit by submitting a written permit modification request to the Director. If the Director determines the modification request is substantive, a public hearing, a 15-day public comment period, or both may be required before a decision by the Director on the modification request. Implementing a substantive modification prior to the Director’s written approval constitutes a violation of the Permit and may be grounds for enforcement action or permit revocation.
- I.C.2. The Director may modify this Permit as necessary to protect human health and the environment, because of statutory or regulatory changes or because of operational changes affecting this Permit.

I.D. Spill Prevention, Emergency Controls, and Maintenance

- I.D.1. The Permittee shall maintain and operate the transfer facility, including all used oil transportation vehicles, storage units, containers, tanks and associated equipment to minimize the possibility of fire, explosion or sudden or non-sudden release of used oil to air, ground, soil, surface and groundwater and sewer systems.
- I.D.2. The Permittee shall inspect and maintain used oil equipment, tanks, containers, storage units and rail cars on a weekly basis to ensure compliance with this section. Electronic documentation is acceptable.

- I.D.3. In the event of a release of used oil, the Permittee shall comply with the Emergency Controls and reporting requirements specified in R315-15-9 Utah Administrative Code and the Permittee's Emergency Spill Plan (Attachment 1).
- I.D.4. It shall not constitute a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the Permittee business activity in order to maintain compliance with the conditions of this permit and Attachments.
- I.D.5. The Permittee is subject to all applicable Spill Prevention, Control and Countermeasures as defined in 40 CFR 112.

I.E. Record Retention

- I.E.1. The Permittee shall maintain all applicable used oil records required by R315-15 of the Utah Administrative Code and this Permit at the Permittee's office located at 3545 West 500 South, Salt Lake City, Utah.
- I.E.2. All records shall be readily accessible for inspection by representatives of the Director. Records may be in a hard copy or electronic format. Records shall be maintained for a minimum of three years.

I.F. Tracking

- I.F.1. The Permittee shall keep documentation of each used oil load received, transferred, and delivered to verify storage periods.
- I.F.2. The Permittee's facility acceptance records shall document the permitted transporter's name, address, EPA identification number, date of acceptance, and signatures of the transporter. Intermediate rail transporters are not required to sign the record of acceptance. Acceptance records may include a separate loading sheet that is signed or initialed and includes the original shipping document number, date of delivery and gallons transferred.
- I.F.3. The Permittee's facility shipping records shall document the transfer of used oil to a permitted used oil transporter, transfer facility, burner, or processor. This record shall have the company name, address, and EPA identification number of the entity receiving the used oil. Both the Permittee and the receiving facility (dated upon receipt) shall sign the shipping record if located in Utah. Intermediate rail transporters are not required to sign the record of delivery.

I.G. Sampling and Analyses

- I.G.1. The Permittee shall follow all sampling and analytical procedures in Condition II.D and Attachment 2 (Sampling and Analysis Plan) when conducting used oil sampling and analytical testing to meet the requirements of R315-15 of the Utah Administrative Code and this Permit.

I.H. Prohibited Waste

- I.H.1. Used oil that has been mixed with hazardous waste as defined by R315-261 of the Utah Administrative Code or PCBs as defined by R315-301-2(53) of the Utah Administrative Code shall no longer be managed as used oil and shall be subject to applicable hazardous waste and PCB-contaminated waste rules.
- I.H.2. Used oil shall not be stored in tanks, containers or storage units that previously stored hazardous waste unless these tanks, containers and storage units have been cleaned in accordance with R315-261-7 of the Utah Administrative Code.
- I.H.3. The Permittee shall not place, manage, discard or otherwise dispose of used oil in any manner specified in R315-15-1.3 of the Utah Administrative Code.

I.I. Waste Characterization and Disposal

- I.I.1. The Permittee shall properly characterize used oil waste related materials to determine if the wastes are hazardous or non-hazardous in accordance with R315-15-8 of the Utah Administrative Code and manage accordingly.
- I.I.2. The Permittee shall maintain records showing characterization, handling and disposal of waste generated at the facility.

I.J. Used Oil Storage

- I.J.1. The Permittee shall not store used oil longer than 35 days without first obtaining a processor permit for that storage location. This includes storing used oil in vehicles at loading and unloading docks and parking areas.
- I.J.2. The Permittee shall have secondary containment for all storage units, containers, tanks, transportation vehicles, and associated piping in accordance with R315-15-4.6 of the Utah Administrative Code.
- I.J.3. The Permittee shall not store used oil in units other than tanks, containers, or units subject to regulations under R315-265 or R315-264 of the Utah Administrative Code.
- I.J.4. The Permittee shall label all used oil containers, tanks and, when applicable, associated piping with the words "Used Oil."

I.K. Liability and Financial Requirements

- I.K.1. The Permittee shall be financially responsible for cleanup and closure costs, general liabilities, and environmental pollution legal liability for bodily or property damage to third parties resulting from the release of use oil in accordance with R315-15-10 through 12 of the Utah Administrative Code and this Permit.
- I.K.2. The Permittee shall provide documentation of financial responsibility, for cleanup and closure, environmental pollution legal liability, and general liability coverage annually to the Director for review and approval by March 1 of each reporting year or upon request by the Director.

- I.K.3. The Permittee shall receive written approval from the Director for any changes in the extent, type (e.g., mechanism, insurance carrier, or financial institution), or amount of the environmental pollution legal liability or financial assurance mechanism for coverage of physical or operational conditions at the facility that change the nature and extent of cleanup and closure costs. The Permittee shall receive approval from the Director prior to implementation of these changes.

I.L. Cleanup and Closure Plan

- I.L.1. The Permittee shall update its closure plan cost estimates and provide the update estimated to the Director, in writing, within 60 days following a facility modification that causes an increase in the financial responsibility required under R315-15-10 of the Utah Administrative Code. Within 30 days of the Director's written approval of a permit modification for the cleanup and closure plan that would result in an increase cost estimate, the owner or operator shall provide to the Director the information specified in R315-15-11.2(b)(2) of the Utah Administrative Code and Condition II.G of this Permit.
- I.L.2. The Permittee shall initiate closure of the facility within 90 days after the Permittee receives the final volume of used oil or after the Director revokes the Permittee's Transfer Facility Permit in accordance with the requirements of R315-15-11.3 of the Utah Administrative Code and this Permit.
- I.L.3. Within 60 days of completion of cleanup and closure, the Permittee shall submit to the Director, by registered mail, a certification that the facility has been closed in accordance with R315-15-11.4 of the Utah Administrative Code and the specifications of the approved cleanup and closure plan. An independent, Utah-registered professional engineer and the Permittee shall sign the closure certification.
- I.L.4. Additional sampling and remediation may be required by the Director to verify that cleanup and closure has been completed according to R315-15 of the Utah Administrative Code.

I.M. Used Oil Handler Certificate

- I.M.1. In accordance with R315-15-4 of the Utah Administrative Code, the Permittee shall not operate as a used oil transfer facility without obtaining annually a Used Oil Handler Certificate from the Director. The Permittee shall pay a used oil handler fee, pursuant to Utah Code 63J-1-504, by December 31 of each calendar year to receive certification for the upcoming calendar year.

I.N. Inspection and Inspection Access

- I.N.1. Any duly authorized employee of the Director may, at any reasonable time and upon presentation of credentials, have access to and the right to copy any records relating to used oil and to inspect, audit or sample. The employee may also make record of the inspection by photographic, electronic, audio, video or any other reasonable means to determine compliance.

I.N.2. The authorized employees may collect soil, groundwater or surface water samples to evaluate the Permittee's compliance.

I.N.3. Failure to allow reasonable access to the property by an authorized employee may constitute "denial of access" and may be grounds for enforcement action or permit revocation.

I.O. Annual Report

I.O.1. As required by R315-15-13.4 of the Utah Administrative Code, the Permittee shall prepare and submit an Annual Report to the Director by March 1 of the following year. Form UO 004 (Annual Report for Used Oil Transfer Facilities) describing the Permittee's used oil activities in Utah. The Annual Report shall also include all financial assurance documentation required by Form UO 004.

I.P. Other Laws

I.P.1. Nothing in this Permit shall be construed to relieve the Permittee of his obligation to comply with any Federal, State or local law.

I.Q. Enforceability

I.Q.1. Violations documented through the enforcement process pursuant to Utah Code Annotated 19-6-112 may result in penalties in accordance with R315-102 of the Utah Administrative Code.

I.R. Effective Date

I.R.1. The permit is effective on the date of signature by the Director.

II.A. Used Oil Transfer Facility Operations

- II.A.1. The Permittee is authorized to store up to 53,000 gallons of used oil in two rail cars for up to 35 days at this facility.
- II.A.2. Storage in any other type of container is prohibited.
- II.A.3. The Permittee shall only accept tanker truck shipments of used oil from Utah permitted used oil transporters. The Permittee may accept rail shipments of used oil, originating from unpermitted facilities located outside of Utah (e.g. used oil transfer facilities, processors/re-refiners, and burners) that have a valid EPA identification number.
- II.A.4. The Permittee shall verify, at the time of acceptance, that the transporter or out of state facility delivering the used oil has recorded the halogen content of the used oil on the shipping documents.
- II.A.5. The Permittee is not required to conduct further testing on used oil received from a Utah-registered used oil marketer if the marketer provides, at the time of acceptance, analytical data results documenting that the used oil has been tested for the parameters in R315-15-1.2 of the Utah Administrative Code.
- II.A.6. If the transporter (or facility) has not documented the halogen content on the shipping records, then the Permittee shall determine the halogen content of the shipment of used oil received at the facility, prior to acceptance.
- II.A.7. The Permittee is allowed to accept shipments of used oil, as defined R315-15-1.7(d), with halogen content less than 1000 ppm. Used oil with halogen concentrations between 1,000 ppm and 4,000 ppm may only be accepted from transporters (or facilities) if any one of the following conditions are met:
 - II.A.7.a. The Permittee rebuts the hazardous waste presumption in accordance with R315-15-1.1(b)(ii) and Attachment 2 or there is analytical data accompanying the shipment documenting that the rebuttable assumption requirements of R315-15-1.1(b)(ii) have been satisfied.
 - II.A.7.b. The Permittee can verify that the used oil is solely from a Very Small Quantity Generators (VSQG).
 - II.A.7.c. The used oil shipment is comprised solely of a Do-It-Yourselfer used oil from a Utah Used Oil Collection Center.
- II.A.8. The Permittee shall determine the halogen content by collecting a representative sample in accordance Attachment 3 (Sample Collection Procedures) and then screening the used oil sample for halogens, or by submitting the sample to a Utah-certified laboratory for analysis in accordance with the analytical requirements of Attachment 2.
 - II.A.8.a. The Permittee shall then record the results of the halogen testing on the shipping document prior to shipment from the facility.

II.A.9. Used oil recovered from oily water shall be managed as used oil in accordance with R315-15 of the Utah Administrative Code and this Permit.

II.A.10. The Permittee shall not accept or store used oil with PCB concentrations greater than or equal to 50 mg/kg (ppm) unless the Permittee complies with TSCA regulations 40 CFR 761. Used oils containing PCB concentrations greater than or equal to 2 mg/kg but less than 50 mg/kg are subject to both R315-15 of the Utah Administrative Code and 40 CFR 761.

II.B. Used Oil Storage Areas and Secondary Containment

II.B.1. The Permittee operates as a Used Oil Transfer Facility in the Union Pacific South Rail Yard at 650 West 500 South, Track 796. The facility includes a rail spur next to an unpaved access road within the rail yard and an adjacent gravel parking area. The transfer facility has a storage capacity of 53,000 gallons in two rail cars. All used oil rail cars are loaded and unloaded using the hatches and valves located on the top of the rail cars. The facility is equipped with a stationary railcar containment pan and supplemental portable containment placed beneath the rail car during used oil transfer.

II.C. Used Oil Loading and Unloading Requirements

II.C.1. The Permittee shall secure the vehicle by positioning wheel chocks and applying the emergency brakes before loading or unloading used oil from transportation vehicles.

II.C.2. The Permittee shall inspect all used oil collection equipment (e.g., vehicles, tanks, and associated pumping equipment) for any damage prior to use.

II.C.3. The Permittee shall place buckets or other containers under piping connections to collect drips of used oil during loading and unloading operations.

II.C.4. The Permittee shall ensure the amount of used oil to be loaded will not exceed the current capacity.

II.C.5. The Permittee is authorized to transfer used oil between highway vehicles and rail cars or railcars to railcars at a permitted transfer facility in accordance with the rail car loading procedure in Attachment 4.

II.C.6. During loading and unloading operations, a trained operator shall remain at the transfer location and maintain control of the operations throughout the entire used oil transfer.

II.D. Used Oil Sampling and Analysis

II.D.1. The Permittee shall sample used oil accepted at the facility when required by Condition II.A of this Permit in accordance with the requirements of the Attachment 2 (Sampling and Analysis Plan) and Attachment 3 (Sample Collection Procedures).

II.E. Used Oil Training

II.E.1. The Permittee shall train handlers of used oil in accordance with R315-15-4 of the Utah Administrative Code and the requirements of this Permit. New employees may

not manage or process used oil without a trained employee present until used oil training is completed.

- II.E.2. Employee training shall include documentation that the following topics were covered: identification of used oil, recordkeeping requirements and facility used oil procedures for handling, transporting, sampling and analysis, emergency response, spill reporting and personal safety.
- II.E.3. The Permittee shall provide, at a minimum, an annual used oil-training refresher course for employees handling used oil. Additional training is required if the Permittee changes used oil handling procedures.
- II.E.4. The Permittee shall keep training records for each employee for a minimum of three years. Employees and supervisors shall sign and date training attendance sheets to document class attendance.
- II.E.5. Employees collecting and performing field halogen testing shall be trained and shall demonstrate competence in collecting a representative used oil sample and testing for halogens using a CLOR-D-TECT® kit prior to fieldwork.

II.F. Spill Response, Remediation, and Reporting

- II.F.1. In accordance with R315-15-9.1(a) of the Utah Administrative Code, the person responsible for a spill shall immediately take appropriate action to minimize the threat to human health and the environment. The Permittee shall notify the DEQ Hotline at (801) 536-4123 if the spill is greater than 25 gallons or for smaller spills that pose threat to human health or the environment.
- II.F.2. Responders shall take action to prevent a spill from spreading by utilizing absorbent, booms, pads, rags or other appropriate materials.
- II.F.3. Once the material is containerized, a waste determination shall be made to determine the material's disposition.
- II.F.4. The Permittee is responsible for the material release and shall recover oil and remediate any residue from the impacted soils, water, or other property, or take any other actions as required by the Director until there is no longer a hazard to human health or the environment.
- II.F.5. All costs associated with the cleanup shall be at the expense of the Permittee.
- II.F.6. The Permittee shall maintain spill cleanup kits in the used oil storage areas.
- II.F.7. Facility spill kits shall contain, at a minimum, the equipment listed in Attachment 1 of this Permit. The Permittee shall conduct and document weekly inspection of the spill kits.
- II.F.8. The Permittee shall report all relevant information, including the amount of waste generated from cleanup efforts, the characterization of the waste (i.e. hazardous or

non-hazardous), final waste determination, and disposal records. The report shall also include actions taken by the Permittee to prevent future spills.

- II.F.9. An air, rail, highway or water transporter who has discharged used oil shall give notice, if required by 49 CFR 171.15, to the National Response Center at <http://nrc.uscg.mil/nrchp.html>, (800) 424-8802 or (202) 426-2675. In addition to the notification above, a written report, as required in 49 CFR 171.16, shall be presented to the Director, Office of Hazardous Materials Regulations, Materials Transportation Bureau located in Washington, D.C., 20590.
- II.F.10. In accordance with R315-15-9.4 of the Utah Administrative Code, the Permittee shall submit to the Director a written report within 15 days of any reportable release of used oil.

II.G. Facility Closure

- II.G.1. The Permittee shall implement the closure plan in Attachment 5 and evaluate potential impacts of used oil operations on the surrounding soil, groundwater and surface water in accordance with R315-15-11 of the Utah Administrative Code. The Permittee shall be responsible for any cleanup of any used oil contamination that has migrated beyond the facility property boundaries in accordance with R315-15-11(d) of the Utah Administrative Code.
- II.G.2. Closure shall include, but not be limited to, used oil storage areas, loading docks, sumps, ancillary equipment and piping, and any contaminated soil or groundwater contaminated from used oil activities at the site. The Permittee shall implement Tasks 1 through three described in II.G.3, through II.G.5 in the manner described in the closure plan, Attachment 5.
- II.G.3. Soil and Groundwater Testing (Task 1)
- II.G.3.a. Soil and groundwater samples shall be tested for PCBs, Oil and Grease, Diesel Range Organics (DRO), Gasoline Range Organics (GRO), metals, semi-volatiles and volatiles. The Permittee shall submit a Level IV analytical data package with the testing results from a Utah certified laboratory within 30 days of receipt to the Director for review and approval.
- II.G.4. Facility Decommission and Certification (Task 2)
- II.G.4.a. Specific requirements include removal of all used oil and other media from all tanks, containers, piping, pumps, filters and other ancillary equipment.
- II.G.4.b. A permitted used oil transporter shall remove used oil to a recycling facility or a waste disposal facility approved by the Director.
- II.G.4.c. Rinsate water generated from used oil cleaning operations shall be transported to a recycling facility or a waste disposal facility approved by the Director.

II.G.5. Closure Certification (Task 3)

- II.G.5.a. Within 60 days of completion of cleanup and closure, the Permittee shall submit to the Director, by registered mail, certification that the facility has been closed in accordance with the approved closure plan. An independent, Utah- registered professional engineer and the Permittee shall sign the closure certification.
- II.G.5.b. Additional sampling and remediation may be required by the Director to verify that cleanup and closure has been completed in accordance with R315-15 of the Utah Administrative Code.

Attachment 1

Emergency Spill Plan

1.0. General Procedures

- 1.1. Emerald shall immediately cleanup any spill which occurs during the transportation and loading/unloading of used oil.
- 1.2. Facility personnel shall maintain the integrity of the scene while ensuring the safety of bystanders and themselves. If bystanders or the facility personnel are at risk then call 911 when warranted to summon emergency personnel to the scene.
- 1.3. Facility personnel shall take action to prevent the spilled material from spreading by utilizing absorbent, dirt, booms, pads, rags, etc. Facility personnel should prevent used oil from entering any adjacent storm water drain or sewer drain system.
- 1.4. In the event that more resources are required, contact your supervisor to dispatch a spill response team to help facilitate the mitigation and/or remediation of the spill.
- 1.5. Used Oil spills exceeding 25 gallons, or that pose a risk to human health and the environment, shall be reported to Emerald management and to the Utah Department of Environmental Quality immediately after containment of the spill.
- 1.6. Facility personnel shall submit a completed spill report to a supervisor at or before the end of the driver's shift. The report must follow the reporting requirements of R315-15 and the Emerald Transporter Permit and include:
 - Name, phone number, and address of person responsible for the release
 - Name, title, and phone number of person reporting
 - Time and date of release
 - Location of the release (specific as possible)
 - Description contained on the manifest and the amount of material released
 - Cause of release
 - Possible hazards to human health or the environment and emergency action taken to minimize the threat (including the extent of injuries, if any)
 - Complete Spill Report and Incident Report and email to Corporate Environmental Compliance.
- 1.7. Emerald employees shall report any spills to facility management, regardless of the volume. Employees are exempted from reporting de minimis drips to management that are immediately cleaned up responsible employee.
- 1.8. Reporting Highway and Railcar Spills

If a spill occurs on a highway or railway employees should immediately stop the release if possible, secure the scene and contain the spill. Immediately notify Emerald Services management at the emergency contacts numbers listed in Table 1. If there are, injuries

to personnel/public or the spill will require additional emergency responders to contain then all 911 to request help. The discharge notification form is included in this spill plan shall be completed immediately by the operator after containment of the used oil, notification to emergency responders (if applicable) and Emerald's management.

- 1.9. Drivers may also refer to Emerald's EMS and facility SPCC Plan for additional information related to Contingency Plans and Emergency Response.

Table 1: Emergency Contacts List (Company Personnel)

Contact Person	Title	Contact Information
Joe Dwyre	Branch General Manager	Mobile: 503-706-0311 Office: 801-596-4801 Joe.Dwyre@thermofluids.com
Joe Valerio	Regional Operations Manager	Mobile: 509-998-6671 jvalerio@emeraldrenews.com
Fire Response (In case of fire or injury)	NA	911
Clean Harbors	Response/Cleanup Contractor	Office: 800-645-8265

- 1.10. The transfer facility shall maintain absorbents and equipment to contain a leaking containers and spills. At a minimum each used oil transfer facility spill kit shall contain the items listed in Table 2.

Table 2: Spill Equipment Inventory for Transfer Facility

Equipment Description	Quantity
Shovel	1
Broom	1
Buckets	2
Spill Absorbent Pads	10
Granulated Absorbent	1 Bag
Absorbent Boom/oil sock	3
Used Oil Emergency Controls -Spill Plan with Emergency Contact Numbers	1
First Aid Kit and Fire Extinguisher	1 each

Attachment 2

Sampling and Analysis Plan

A. Bulk and Drum Sample Collection Requirements

- A.1. The Permittee shall collect a representative sample from bulk containers to determine the halogen content when required by II.A in accordance with the sampling collection procedures in Attachment 3. Sampling personnel shall be trained on appropriate sampling methods for each type of container and matrix.
- A.2. Bulk containers of used oil must be sampled and analyzed individually. Composite sampling is not allowed.

B. Halogen Field Screening Methods

- B.1. The Permittee shall screen used oil or oily water subject to R315-15 of the Utah Administrative Code in accordance with the following requirements:
 - B.1.a. CLOR-D-TECT® halogen test kit (EPA Method 9077) for oil containing less than 20% water; or
 - B.1.b. HYDROCLOR-Q® test kit if the oil contains between 20% and 70% water using the following conversion formula:

$$\text{True Halogen Concentration} = \text{Reading Syringe} + [(10 + \text{ml oil in sample})/10]$$

Example: sample contains 6 ml water and 4 ml oil (60% water) and the syringe reading is 2,000 ppm, then the true concentration is:

$$2,000 \text{ ppm} [(10 \text{ ml} + 4 \text{ ml})/10] = 2,800 \text{ ppm}$$

- B.1.c. HYDROCLOR-Q test kit without correction for oil containing greater than 70% water.

C. Quality Control Sample

- C.1. A The CLOR-D-TECT® kit (Method 9077 of SW846) requires that a quality control sample (duplicate) be analyzed for each sampling event.

D. Halogen Laboratory Analytical Methods

- D.1. When relying on laboratory testing, the Permittee shall submit a representative used oil sample to a Utah-certified laboratory to analyze for total halogen concentrations using Method 9076.

E. Rebuttable Presumption

- E.1. The Permittee may rebut the hazardous waste presumption in accordance with R315-15-4.5 of the Utah Administrative Code if the Permittee can demonstrate that the used oil does not contain significant concentrations of any of the halogenated hazardous

constituents listed in Appendix VIII of EPA CFR 40, Part 261 which includes volatiles, semi-volatiles, PCBs, pesticides, herbicides and dioxin/furans.

F. PCB Contaminated Used Oil

- F.1. The Permittee shall obtain analytical results of dielectric oil used in transformers and other high voltage devices, verifying the PCB concentrations are less than 50 mg/kg prior to loading and storing the used oil in the railcars.
- F.2. Used oil shall not be diluted to avoid any provision of any federal or state environmental rules.
- F.3. Unless tanks, containers, and piping that previously contained PCB-contaminated material are decontaminated as described in 40 CFR 761 Subpart S prior to transferring used oil, the used oil is considered to have been mixed with PCB-contaminated material in accordance with R315-15-18 and 40 CFR 761 Subpart S.
- F.4. Laboratory testing for PCBs shall be conducted in accordance with R315-15-18(d) of the Utah Administrative Code when used to satisfy any requirements of R315-15 of the Utah Administrative Code and this Permit.

Attachment 3

Sample Collection Procedures

Emerald Services Inc. employees shall use the sampling procedures below to collect representative sample from customers' tanks and containers when screening used oil for halogen content prior to collection.

Required Equipment

COLIWASA Sampling Device:
Glass/Polypropylene/ plastic type tube or "tank" sampler.

Sampling Procedure

Collection – Small Tanks and Containers

Step 1:

Mark the customer name, date, and BOL number for the customer shipment on the lid of a sample container.

Step 2:

Lower the glass tube slowly into the liquid waste at a rate that allows the liquid level inside and outside the tube to equalize.

Step 3:

Place thumb over the end of the glass tube, and slowly withdraw glass tube from the liquid. Either wipe the exterior of the sampler tube with a disposable cloth or allow excess liquid to drain back into the used oil container/tank.

Step 4:

Discharge the sample by placing the lower end of the glass tube into a sample container.

Step 5:

When multiple containers of used oil are to be tested, up to 4-55 gallon containers may be composited into one sample container for CHLO-D-TECT® testing. For containers larger than 55 gallons, separate samples must be collected and tested for each container.

Step 6:

Screen sample(s) using appropriated halogen screening test kit(s) and manufacturer's instructions.

Step 7:

If CHLO-D-TECT® result shows total halogens less than 1,000 ppm, then secure the lid on the sample container(s) and place the sample container(s) in a secure location in the truck, for ultimate delivery to the facility.

Step 8:

As appropriate, note that the used oil was tested and had an acceptable CHLO-D-TECT® result by checking the corresponding box on the BOL.

Collection – Tanks >1,000 gallons

Step 1:

Mark the customer name, date, and BOL number for the customer shipment on the lid of a sample container.

Step 2:

Lower a COLIWASA tube slowly into the liquid waste at a rate that allows the liquid level inside and outside the tube to equalize.

Step 3:

Slowly withdraw COLIWASA tube from the liquid. Either wipe the exterior of the sampler tube with a disposable cloth or allow excess liquid to drain back into the used oil container/tank.

Step 4:

Discharge the sample by placing the lower end of the tube into a sample container.

Step 5:

One discrete sample must be collected and tested for all containers greater than 1,000 gallons.

Step 6:

Screen sample(s) using the appropriated halogen screening test kit(s).

Step 6:

If CHLO-D-TECT® result shows total halogens less than 1,000 ppm, then secure the lid on the sample container(s) and place the sample container(s) in a secure location in the truck, for ultimate delivery to the facility.

Step 7:

As appropriate, note that the halogen screening result of the used oil tested was < 1000 ppm halogens and document results on the BOL.

Attachment 4

Rail Car Loading Procedures

The following procedure is designed to ensure that all railcars containing used oil and non-regulated waste are loaded safely and in compliance with all applicable regulations in order to minimize the potential for spills.

Emerald is not allowed to perform transfers outside of five railcar lengths away from containment pad. Furthermore, if the railcar is not over the containment pad the green pool must be used for containment.

Two people with knowledge of loading and offloading procedures must be present during loading or off-loading. If, at any time, one of the people must leave the operation, the operation must be stopped until a second qualified person is available.

Rail Car Loading and Unloading Procedure

1. Lock-out track with derailers at both ends of the rail spur so train operators know not to move any railcars on the spur during offloading.
2. Place railcar chocks on both sides of the wheels of the railcar while offloading.
3. Lay out black containment mat and position truck over the mat.
4. Set truck parking brake and chock both sides of one wheel of the truck to prevent accidental movement.
5. Ensure adequate spill response equipment is readily accessible. Including but not limited to:
 - a. 1 box of absorbent pads
 - b. 1 bag of oil-dri
 - c. 3 oil boom socks
 - d. 1 shovel
 - e. 1 empty 55 gallon open top drum.
 - f. 1 broom
6. Prior to railcar loading, fill out the Railcar Used Oil Transfer Log.
7. Take a beginning reading on truck to determine volume to be transferred.
8. Unsecure railcar manway/top hatch by removing I-bolts using a pipe wrench.
9. Open manway/top hatch and take a beginning reading on the rail car by using a tape measure and verifying the current railcar measurements with the railcar strapping chart to ensure there is enough space available for transfer.

10. One person must remain on top of the railcar and one person must remain at the tank truck connection at all times during transfer.
11. Hoist opposite end of hose up to railcar hatch, uncap hose end, and insert into railcar. The top man must hold the hose in place while transferring or a fill lid must be used.
12. Secure hose with bungee to the side of the railcar.
13. Check the cam lock gaskets for integrity and secure the cam lock ears down with a bungee.
14. Proceed with transfer operation.
15. Top man shall notify second operator immediately if the railcar appears to be filling to a level higher than expected so the operation can be stopped.
16. After transfer is complete, clear the hose of any material.
17. Cap and plug all hoses to prevent drips
18. Close and secure the railcar hatch.
19. Complete all necessary paperwork and checklists including:
 - a) Load transfer BOLs;
 - b) Railcar inspections;
 - c) Railcar loading log.
20. Ensure all tank files are updated after each transfer is completed.
21. Clear area of all safety equipment and clean area of any spills or drips prior to departing transfer area.
22. Remove locks from rail switches at both ends.
23. Remove derailleurs and railcar chocks.
24. Verify that items are stored in the shed and the shed is locked before leaving the rail yard.

Attachment 5
Facility Closure Plan

Emerald Services, Inc. shall, at time of closure, comply with the cleanup requirements of R315-15-5 and this Closure Plan (Attachment 5 - Appendix 1- Estimated Closure Costs).

1.0. Soil and Groundwater Testing (Task 1)

- 1.1. At time of the closure of the facility, the Permittee shall sample the soil and groundwater to determine potential contamination from operational activities. The Permittee shall submit a Level IV data validation analytical package from a Utah-certified laboratory, within 30 days of receipt, to the Director for review and approval.

2.0. Plant Decommission Certification (Task 2)

- 2.1. Plant decommission, at time of closure, requires removal of all used oil. Other media shall be recovered from all containers and any other ancillary equipment.
- 2.2. The Permittee shall dispose of used oil at an appropriately permitted management facility.
- 2.3. Rinsate water, scrap metal and clean wastes generated shall be transported to a recycling facility or a waste disposal facility as applicable.

3.0. Closure Certification Costs (Task 3)

- 3.1. Closure of the facility in accordance with requirements of this Permit shall be verified by a Utah certified independent Professional Engineer (P.E.), reviewed, and approved by the Director

Attachment 5 – Appendix 1

Itemized Task Closure Costs for Financial Assurance

Task	Task Description	Quantity	Units	Rate	Current Cost
1	Soil and Groundwater Testing				
	Sampling (labor)	10	Hours	\$75.00	\$750.00
	Sampling (labor) Supervisor	10.0	Hours	\$80.00	\$800.00
	Soil Samples – Analytical Testing	8	Each	\$550.00	\$4,400.00
	Groundwater Samples - Analytical Testing	2	Each	\$550.00	\$1,100.00
	Drilling for soil sample collection	10	Hours	\$175.00	\$1,750.00
	Equipment Rental	1	Days	\$500.00	\$500.00
	Site Sampling and Analytical Sub-Total				\$9,300.00
2	Facility Decommission and Certification				
	Prepare Health & Safety Plan	1	Document	1,500.00	1,500.00
	Removal, transportation and recycling of used oil and rail car decontamination	2	Railcars (26,500 max each)	11,326.00	22,652.00
	Soil Removal (labor)	10	Hours	75.00	750.00
	Soil Removal Supervisor	10	Hours	80.00	800.00
	Transportation/disposal contaminated soil removal	27	Tons	50.00	1,350.00
	Plant Decommission Sub-Total				\$27,052.00
3	Closure Certification				
	Independent P.E. Verification	1	Each	\$3,500.00	\$3,500.00
	Division of Waste Management and Radiation Control Review	10	Hours	\$90.00	\$900.00
	Final Closure Verification Sub-Total				\$3,995.00
Total Closure Costs					\$40,752.00